**Crime Report Form**

 **Please complete and forward this report to:**

 **Michael Masters/Public Safety -** **mmasters@daltonstate.edu**

CSA: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Crime reported by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Classification (see definitions): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date incident occurred: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Location of Incident (building name or address): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Description of the incident: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Did the crime occur in a building or on the street?

Building: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Street: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Did the crime occur on school owned, controlled, or leased property? **Yes** **[ ]  No** **[ ]**

Did the crime occur at a College-sponsored activity or event? **Yes [ ]  No [ ]**

\*This form is used when an incident is reported by a Dalton State College official, and victim declined contact with law enforcement.

\*Provide the Victim with a copy of their rights and options (attached)

***Classifications***

***Murder/Non-Negligent Manslaughter:*** the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

***Negligent Manslaughter*:** the killing of another person through gross negligence.

***Robbery:*** the taking or attempting to take anything from value of the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear. ***Aggravated Assault:*** an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

***Burglary:*** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

***Motor Vehicle Theft:*** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding)

***Arson*:** The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

***Weapon Law Violations:*** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

***Drug Abuse Violations:*** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

***Liquor Law Violations:*** The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

***Domestic Violence:*** The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

***Dating Violence*:** The term “dating violence” means violence committed by a person—

(A) who is or has been in a social relationship of a romantic or intimate nature

with the victim; and (B) where the existence of such a relationship shall be

determined based on a consideration of the following factors:

 (i) The length of the relationship.

 (ii) The type of relationship.

 (iii) The frequency of interaction between the persons involved in the relationship.

***Sexual Assault:* Sex offenses** – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

A. Rape — The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

B. Fondling — The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

C. Incest — Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

D. Statutory Rape — Nonforcible sexual intercourse with a person who is under the statutory age of consent.

***Stalking:*** The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(i) Fear for his or her safety or the safety of others; or

(ii) Suffer substantial emotional distress.

***Hate Crimes:***

Includes all of the crimes listed above that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes.

\*Larceny/Theft—includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.

\*Simple Assault—an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

\*Intimidation—to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

\*Destruction/Damage/Vandalism or Property (except Arson)—to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

***Categories of Prejudice:***

\*Race – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

\*Gender – A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

\*Religion – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

\*Sexual Orientation – A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.

\*Ethnicity/national origin – A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions.

\*Disability – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

**Written Notification of Victim’s Rights and Options**

Dalton State College is committed to providing a safe learning and working environment. In compliance with federal laws, policies and procedures have been adopted to prevent and respond to incidents of sexual assault, domestic violence, dating violence, and stalking involving members of our campus community. These guidelines apply to all students, faculty, staff, contractors, and visitors and they are required to be provided to victims of crime.

**Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

A sexual assault is any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent, as well as incest or statutory rape. Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim. Dating violence means violence committed by a person who is or has been in a romantic or intimate relationship with the victim. Stalking is engaging in a course of conduct directed at a

specific person that would cause a reasonable person to fear for their safety or the safety

of others or suffer substantial emotional distress.

**Reporting an Incident**

If a student, employee or visitor has been the victim of an incident of sexual assault,

domestic violence, dating violence, or stalking they should immediately report it to the

Department of Public Safety in room 300 in the Health Occupations Building or by phone

at 706-272-4461. Students may also report to the Student Conduct Administrator in Pope or by phone 706-272-2999. Employees may report to the Director of Human Resources, in Memorial Hall or by calling 706-272-2034. The Office of Student Life, Residence Life, and other offices will assist any victim of sexual assault, domestic violence, dating violence, and stalking in notifying law enforcement, including campus police, if they elect to do so. Victims are not required to report to law enforcement in order to receive assistance from or pursue any options with Dalton State.

The Public Safety Department can assist a victim in obtaining a restraining order, or medical assistance after being involved in an incident.

Our Title IX Coordinator can provide the victim with a copy of their rights and options regardless of whether the incident occurred on campus. Also, the victim can get information on counseling, mental health services, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims. Also, changes to academic, living, transportation, and working situations, or protective measures regardless of whether the victim reports the incident to law enforcement. Dalton State College’s Title IX Coordinator is; Director of Human Resources, Memorial Hall, 706-272-2034, lmccarty@daltonstate.edu

**Crime Victims Bill of Rights**

The Georgia Crime Victims Bill of Rights, O.C.G.A. 15-17-1, et seq., provides individuals who are victims of certain crimes specific rights. These rights include:

• The right to reasonable, accurate, and timely notice of any scheduled court proceedings

 or any changes to such proceedings;

• The right to reasonable, accurate, and timely notice of the arrest, release, or escape of the

 accused;

• The right not to be excluded from any scheduled court proceedings, except as provided

 by law;

• The right to be heard at any scheduled court proceedings involving the release, plea, or

 sentencing of the accused;

• The right to file a written objection in any parole proceedings involving the accused;

• The right to confer with the prosecuting attorney in any criminal prosecution related to

 the victim;

• The right to restitution as provided by law;

• The right to proceedings free from unreasonable delay; and

• The right to be treated fairly and with dignity by all criminal justice agencies involved in

 the case.

*The Crime Victims Bill of Rights specifically applies to victims of the following crimes:*

• Homicide

• Assault and Battery

• Kidnapping, False Imprisonment and related offenses

• Reckless Conduct

• Cruelty to Children

• Feticide

• Stalking/Aggravated Stalking

• Cruelty to a Person 65 Years of Age or Older

• All Sexual Offenses

• Burglary

• Arson, Bombs and Explosives

• Theft

• Robbery

• Forgery, Deposit Account Fraud, Illegal Use of Financial Transaction Cards, Other Fraud

 Related Offenses, Computer Crimes, & Identity Theft

• Sale or Distribution of Harmful Materials to Minors

• Elder Abuse

• Homicide by Vehicle

• Feticide by Vehicle

• Serious Injury by Vehicle

In general, after the crime occurs and is reported, and upon initial contact with a victim, law enforcement and court personnel must advise him or her of the following:

• That it is possible that the accused may be released from custody prior to trial;

• That victims have certain rights during various stages of the criminal justice system;

• That victims have the right to refuse or agree to be interviewed by the accused, the

 accused's attorney, or anyone who represents or contacts you on behalf of the accused;

• That additional information about these stages can be obtained by contacting the pertinent

 state and/or local agency involved, or by contacting the Criminal Justice Coordinating

 Council at 404-559-4949;

• That victims may be eligible for monetary compensation for certain out-of-pocket losses

 incurred as a result of their victimization from the State's Crime Victims Emergency

 Fund (Crime Victims Compensation) which is administered by the Criminal Justice

 Coordinating Council;

• That victims may have available to them community-based victim service programs and

 that more information may be obtained by contacting the Governor's Victim Assistance

 Helpline at 1-800-338-6745.

**Procedures Victims Should Follow**

If an incident of sexual assault, domestic violence, dating violence, or stalking occurs it

is important to preserve evidence so that a successful criminal prosecution remains an

option. The victim of a sexual assault should not wash, douche, use the toilet, or change

clothing prior to a medical exam – which is important both to address any health issues

that may arise and evidence collection. Any clothing removed should be placed in a

paper, not plastic, bag. Evidence of violence, such as bruising or other visible injuries,

following an incident of domestic or dating violence should be documented by taking a

photograph.

Evidence of stalking including any communication, such as written notes,

voice mail or other electronic communications should be saved and not altered in any

way.

**On & Off Campus Resources**

Both Dalton State and our local community offer other important

resources to the victims of sexual violence including medical treatment, counseling and

advocacy they may wish to utilize. Whitfield County Victim/Witness Assistance Office

 is available to assist any student or employee free of charge and will

help them consider their options and navigate through any resources or recourse they

elect to pursue. A victim need not make a formal report to law enforcement or Dalton

State to access these resources that include the following:

**Brenda Hoffmeyer Victim/Witness Coordinator 706-826-1300**

 **DSC Counseling and Career Services 706-272-4430**

**Hamilton Medical Center 911 or 706-272-6000**

**Northwest Georgia Family Crisis Center 706-278-6595**

**Accommodations**

Whether or not a student or employee reports to law enforcement and or pursues any

formal action, if they report an incident of sexual assault, domestic violence, dating

violence, or stalking, Dalton State is committed to providing them as safe a

learning or working environment as possible. Upon request Dalton State will

make any reasonably available change to a victim’s academic, living, transportation,

and or working situation. Students and employees may contact the Director of Human Resources at 706-272-2034 or lmccarty@daltonstate.edu for assistance.

If a victim reports to law enforcement, they may assist them in obtaining a no-

contact/restraining order from a criminal court.

Dalton State is committed to ensuring that any such order is fully upheld on all

institutionally owned and controlled property, and is also committed

to protecting victims from any further harm, and the College may issue an

institutional no-contact order.

**Victim Confidentiality**

Dalton State recognizes the often-sensitive nature of sexual assault, domestic

violence, dating violence, and stalking incidents. We are committed to protecting the

privacy of any individual who makes a report. Different officials and personnel are,

however, able to offer varying levels of privacy protection to victims. Reports made to

law enforcement, including if criminal prosecution is pursued, may be made public

and shared with the accused.

Reports made to Campus Security Authorities may be kept confidential, and identifying

information about the victim may not be made public. Information about reports will

only be shared with institutional personnel as needed to investigate and effectively

respond to the report. Every effort will be made to limit the scope of information shared

to keep it to a minimum of detail, and only when absolutely necessary. Reports made to

medical professionals and licensed mental health counselors will not be shared with

any third parties except in cases of imminent danger to the victim or a third party.

**Education Programs**

Dalton State College is committed to increasing the awareness of and preventing

violence. All incoming students and new employees are provided with programming

and strategies intended to prevent rape, acquaintance rape, sexual assault, domestic

violence, dating violence, and stalking before it occurs through the changing of social

norms and other approaches; that includes a clear statement that Dalton State

prohibits such acts, their definitions, the definition of consent, options for bystander

intervention, information about risk reduction, and our policies and procedures for

responding to these incidents.

Ongoing prevention and awareness campaigns are also offered throughout the year. These programs include:

* Student orientation
* New employee orientation
* Residence Hall programs
* Poster campaigns
* Various Activities Sponsored by Public Safety and Student Life

**Conduct Proceedings**

Dalton State College strictly prohibits all acts of sexual assault, domestic violence,

dating violence, and stalking. In addition to facing criminal investigation and

prosecution, students, employees and other affiliates may also face disciplinary action

by the College. Individuals found responsible for having committed such a

violation face permanent expulsion, termination of employment, suspension, probation,

or educational sanctions. Incidents involving accused students will be handled by

Student Conduct, and Incidents involving accused employees/affiliates will be handled

by the Director of Human Resources. All conduct proceedings, whether the conduct is

reported to have occurred on or off campus, shall provide a prompt, fair and impartial

investigation and resolution. All investigations and proceedings shall be conducted by

officials who have received annual training on the nature of the types of cases they are

handling, on how to conduct an investigation, and conduct a proceeding in a manner that protects the safety of victims and promotes accountability.

Investigations shall be conducted in a reasonable time unless there are mitigating

circumstances in which case the accuser and accused shall be notified, providing an

explanation, and the amount of additional time required.

Determinations shall be made within a reasonable time unless there are mitigating

circumstances in which case the accuser and accused shall be notified, providing an

explanation, and the amount of additional time required.

Determinations shall be made by Student Conduct using the preponderance of

the evidence standard (which means that it is more likely than not that the alleged

misconduct occurred).

In all proceedings, including any related meetings or hearings, both the accused and

accuser are entitled to the same opportunities to have others present. This includes the

right to be accompanied by an advisor of their choice. Both the accused and accuser

shall simultaneously be informed in writing of the outcome of the proceeding, of

procedures and timeframe, for appealing the results of the outcome, of any change to

the results that occurs prior to the time that they become final, and when such results

become final. Disclosure of the outcome shall be made to both parties unconditionally,

and each shall be free to share or not share the details with any third parties. A decision of suspension or expulsion reached by the student conduct board may be appealed by the accused student to an Appellate Board within (5) business days of the decision. Such appeals shall be in writing and shall be delivered to the Vice President for Enrollment Services, Jodi Johnson jjohnson@daltonstate.edu. The Vice President will compose a committee to review the decision and the committee decision will be final as far as the Dalton State is concerned. These result will become final approximately 10 business days from the request, unless otherwise stated. Dalton State will provide students and employees notification about: existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other service available for victims, both within the institution and in the community.

For additional information about student conduct proceedings please consult the

student handbook at:

<https://www.daltonstate.edu/campus_life/student-conduct-about.cms>Student Conduct Complaints may be filed at:

<https://cm.maxient.com/reportingform.php?DaltonStateCollege&layout_id=3>

For additional information about employee conduct proceedings please consult the

Director of Human Resources located in Memorial Hall or Phone at

706-272-2034.